6: Goudal--161-162 S-3 (1934) 1938 Laotians-1-2
116, 466, 671, 177.46 France
636.46

"Laos--Sections 197-201 of the Laotian Civil Code provide for two methods of assessing workmen's compensation, according to whether the accident was or was not the consequence of an operation or dangerous work for which no special remuneration was laid down to offset the risk. If the accident is caused by dangerous work, the liability of the employer is regulated as follows: in the case of death or permanent total incapacity, the victim or his dependants are entitled, according to their situation, to an allowance amounting to 100 piastres for officials, 80 piastres for an employee of the administration or a skilled worker exercising a remunerative trade, and 50 piastres for all other workers.

These allowances are reduced to one-half or to one-quarter of the stated amount when the victim's working capacity is reduced, even permanently, by 50 or 25 per cent.

In case of temporary incapacity, the person liable in case of accident is required to pay as damages to the injured party the cost of the treatment entailed and in addition, throughout the whole period of incapacity, full wages in the case of an official, 0.55 piastre a day in the case of an employee of the administration or a skilled worker, and 0.25 piastre a day in the case of all other persons. [162]

All the above-mentioned allowances are reduced by one-half if the injured person is under age and has undertaken the operation or dangerous work with the authorisation of his parents.

Among other classes of work, the Civil Code classifies the following as dangerous: scaling of tall trees, going down wells or underground caves or passages, diving into a deep or rapidly flowing part of a river, the capturing of wild animals, the training of untamed animals, pursuit of criminals, etc.

When, on the other hand, the accident is not the result of dangerous work, but is nevertheless incurred in the course of, or arising out of, paid employment, the employer is required, in case of death or permanent incapacity, to pay to the victim an allowance equal to one-half of the corresponding indemnity established for injuries caused by dangerous work. In case of death he must also pay the cost of burial or cremation.

If the accident results in minor injuries, the employer must provide the injured person with medical attendance and food throughout the period of temporary incapacity.

Finally, in no case is the employer responsible for accidents resulting from unavoidable circumstances."

7: Thompson--365 [2] J-4 (no date) 1937 Laotians
116, 671, 682

"The two indigenous codes of Luang-Prabang and Vientiane have a gentle amiability that well reflects the character of their people, and which differentiates them from their neighbours. All penalties are commutable to money fines, and the severest is directed against adultery. Prison is agreeable enough, and the inmates wear flowers behind their ears. Crimes are few and capital punishment even rarer. Those condemned to death wear only a few more chains than the others. The code, in great detail, excuses everything that is remotely excusable. Hunger justifies one's eating another's provisions, and it is not punishable provided nothing is carried away--externally."

7: Thompson--369 [2] J-4 (no date) 1937 Laotians
116, 647, 652, 671, 177.64 France
636.64

"Of the budget expenditures one per cent was allotted to road building, when paths were almost non-existent in Laos. Fifty per cent of the revenues was absorbed by the administration. A subsidy to the company that navigated the Mekong cost 350,000 francs: the total revenues were 600,000, and all for the occasional transportation of the hundred European residents and their mail. The Laotians were much too amiable and indolent to protest against this state of affairs. They were a charming people, who knew nothing of French civilization but the pleasure of paying taxes. They asked little and so they got little. If this were true of the Laotians it was even more so of the mountain peoples. The country was administered as if it were exclusively inhabited by Laotians. The codes, and the mandarins who applied them, were Laotian. The Provincial Council, long the sole representative organization, had no delegate from the mountaineers. Buddhists were given a monopoly of the education, though the Yaos were Confucianist and the Khas fetishists. The administration concentrated on the valley-bound Laotians and ignored the scattered mountain peoples, who differed radically in religion, language, and customs. The Meos's reaction to the Laotians was shown by the massacre of 1920."

7: Thompson--370 J-4 (no date) 1937 Laotians
116, 671, 177.67 France
636.67

"Justice has followed in the wake of the Laotian administration. At first it was left almost untouched, with Laotian codes and magistrates, even for the mountain peoples. In 1900 the Resident Superior, Tournier, made a first tentative translation of some Laotian laws, but he found them so incomplete and so poorly organized that the work was temporarily abandoned. In 1908 Sallé, a Saigon magistrate, took up the task. Beginning with the kingdom of Luang-Prabang he promulgated three codes of civil and criminal law and procedure. Then new texts were discovered, which necessitated more study from 1917 to 1922, when another code was promulgated. It was this time very complete, in fact too complete for the type of judge who applied it. Simplification was needed for their understanding as well as for the illiterate masses. A modified version was put out in 1928, but the following year it was again changed. As in Cambodia and Annam, the problem of discovering, understanding, translating, re-organizing, and harmonizing native law with some basic principles of Western legislation is so delicate that it requires an enormous amount of time and experimentation."

7: Thompson--371 J-4 (no date) 1937 Laotians
116, 563, 661, 671, 177.67 France
636.67

"Nowadays the code of Vientiane or of Luang-Prabang is applied to the Thai peoples and to certain Kha tribes; Burmese custom law to the Lus in Muong Sing; and their particular customs to the other ethnical groups--all under magistrates of their own people. The judgments of these courts are examined by the French authorities. This is not a useless precaution, as often the judges themselves are in a quandary about interpreting their laws and traditions. Moreover, the venality of these judges passes all understanding. If the native appears without offerings appropriate to his station and that of the judge, he is lost. Undoubtedly with time the specialization of magistrates, with guarantees in salary and promotion, will obviate the most flagrant of these evils."

"But in regard to the kingdom's laws, it is a certain fact that 671 ●
there are very few of them, because, in my opinion, there is no 571
great need of any in order to live in accordance with the customs 626
of the land. The people are brought up to work, to have very little to do with foreigners, not to undertake anything which might disturb them and to live an idle and /115/ listless life although not lacking any of the things necessary to preserve it. The king's will, which does not greatly interfere with his people, takes the place of a great many laws for them.... The manner in which the inhabitants of the land live with one another is highly civil and obliging. Unfriendliness and quarrels are banished... they all have enough to live on and get along on, so that one does not hear of thieves except as a thing quite out of the ordinary.... But the /565/
mandarins do not behave in the same way. Indeed, their insolence and their insulting and criminal conduct dim the praise which the common people merit on this account, because they abuse the power which they have in the kingdom, and when they see something which pleases them... they act in such wise as to find means for taking possession of it.

"But if we should now pass to the person of the king in order to 643*
describe him, there is no monarch, no matter how powerful, whom 174
he does not regard as beneath him, and it would indeed seem that 648
he affects not to yield in any particular to the emperors of China... Only rarely does he appear in public... preferring to be worshiped by his people as a hidden God rather than as a man like themselves and of the same nature... He allows himself to be seen only twice /116/ a year, for a period of three days, by his people, who receive this grace from their prince with such gratitude and joyous sentiments that he forgets nothing on these occasions which might contribute to their amusement. For this purpose there are several /527/
elephants which are trained to do a thousand little tricks and several wild animals which are kept chained and made to fight... finally there are wrestlers and gladiators and others, with their skirmishes which last until last until evening and terminate all this rejoicing...

"Of all the prerogatives which he (the king) has, and which are 643*
a further mark of the extent of his power, that of having several 576
petty tributary kings in his dependency who come to his court to do him homage and acknowledge him as their sovereign and who give him superb presents, is by no means the least. He receives these ambassadors in a great parlor seated on an extremely high throne and garbed in his ceremonial robes, and replies to their civilities

include all the local genii one comes across in Indochina, either under the name of Neak Ta in Cambodia, or Phi in Laos, to mention only two countries. The cult of the Phi is still very much alive in Laos, although it has long been contested by the Buddhist clergy and forbidden by an edict of Phothisarath in 1527.

[30] But there are several classes of phi. First of all there are the universal phi, those are the ones which Buddhist tradition has attempted to assimilate for better or worse.

The book of Khun Bolom says precisely that the Phi Fa (Phi of heaven) and the Phi Then are in reality Indra, and the guardians of the four worlds. The Phi Sua Muon are Nang Tholani (Dharani, goddess of the earth) and Nang Mekhala (Manimekhala, deity of the sea). Finally there is the Phi Then Ten (Visvakarman, the builder).

The local protecting genii of the kingdom of Lan Xan are the fifteen Nagaraja (Praya Nak) who are the genii of water, living in the river rapids, at the confluence of rivers, on the rocks on the river banks or in caves. Their natural form is that of a serpent, but they can also take on human form.

Then follow the familiar genii, the wandering phi (Phi Pho), and the phi of dwellings (Phi Heuan). The Phi Heuan are honored at the time of marriage, and the Laotian code prescribes the indemnities which must be paid to please the Phi. There are also the phi of parents [or relatives--Translator] (Phi Me). These are often confused with the preceding ones. Their cult is celebrated either inside the house, or outside in a small shelter built for this purpose. This little structure is usually built leaning against a tree; sometimes it contains a small statuette or a stone, or even nothing. In that case one finds only a few grains of glutinous rice, and one or two small sticks of incense in a horn made of a banana leaf. This little house is the home of the Phi. He watches the living from the beyond and manifests himself every time a member of the family behaves badly. His intervention is most often known by a sudden and serious illness. One must then try to find out what has displeased the phi. For this one goes to the "sorcerer" and he will indicate [31] the sacrifice which must be made to the phi to appease his anger."

There exist also village phi to whom honor and offerings are due at the time of every ritual or local ceremony, particularly about the seventh month. Coinciding with a sort of pause in the ordinary activity of the Laotian, a pause which is regulated by a change in season, return of the rains and the rise of the Mekong waters, the feasts of the "months of the spirits" are centered around the evocation